

Elgin Independent School District

PHONE (512) 281-3434
FAX (512) 281-5388
1002 N. AVENUE C, ELGIN, TEXAS 78621

June 12, 2014

VIA CERTIFIED MAIL R.R.R. NO.
& VIA ELECTRONIC MAIL DAVEN@RRESOLAR.COM

Mr. Daven Mehta
RRE Austin Solar LLC
8121 Bee Cave Road, Suite 100
Austin, Texas 78746

Re: Elgin ISD / RRE Austin Solar LLC – Tax Limitation Agreement

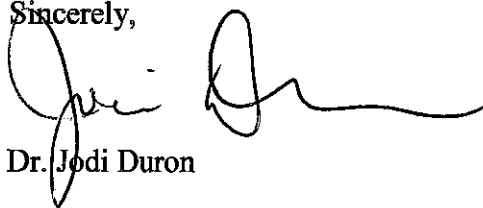
Dear Mr. Mehta:

The Elgin Independent School District (“Elgin ISD”) is writing to notify you that, pursuant to Section 2.3.4 and Section 8 of the above referenced Tax Limitation Agreement, the Agreement is null and void as of December 31, 2013 due to the failure by RRE Austin Solar LLC, to make a Qualified Investment of at least ten million dollars during the Qualifying Time Period. If the Qualified Investment has been made, the District herein provides notice of breach of the Agreement. The facts giving rise to such notice are as follows:

- RRE Austin Solar LLC failed to provide completed Chapter 313 Annual Eligibility Report Forms to Elgin ISD on or before May 15, 2014.
- RRE Austin Solar LLC provided incomplete Chapter 313 Annual Eligibility Report Forms, untimely, on June 9, 2014.
- RRE Austin Solar LLC has failed to respond to inquiries from the District’s financial advisor, Mr. John Crumine, to obtain the additional information required. Consequently, RRE Austin Solar LLC has, to date, failed to provide either completed forms or even the most basic information necessary in order to allow Elgin ISD to meet reporting obligations to the Texas Comptroller’s office.
- Specifically, and most significantly, RRE Austin Solar LLC has failed to inform Elgin ISD or its financial advisor as to whether it has made the required minimum ten million dollar investment during 2012-2013.
- At this time, Elgin ISD has no reason to believe that RRE Austin Solar LLC has made such investment.

If the Agreement is not null and void, RRE Austin Solar LLC is in breach. As such, RRE Austin Solar LLC would then have ninety days from receipt of this notice to present facts or argument to the Elgin ISD Board of Trustees showing that it is not in material breach of its obligations under this Agreement or that it has cured any material breach. Please provide such as soon as possible.

Sincerely,



Dr. Jodi Duron

cc: **VIA ELECTRONIC MAIL CRUMINEJ@PFM.COM**

John Crumine
Public Financial Management, Inc.
221 W. 6th Street 1900
Austin, Texas 78701

VIA CERTIFIED MAIL R.R.R. No.

Alan J. Bojorquez
Bojorquez Law Firm, PLLC
12325 Hymeadow Dr., Ste. 2-100
Austin, Texas 78750

VIA ELECTRONIC MAIL JENNY.HICKS@CPA.STATE.TX.US

Jenny Hicks
Economic Development and Analysis
Texas Comptroller of Public Accounts
LBJ State Office Building
111 East 17th Street
Austin, Texas 78774

VIA CERTIFIED MAIL R.R.R. No.

Daven Mehta
RRE Power LLC
1941 Oak Tree Road, Ste. 102
Edison, New Jersey 08820

VIA ELECTRONIC MAIL CBADILLO@WABSA.COM

Christine Badillo
Walsh, Anderson, Gallegos,
Green and Treviño, P.C.
505 E. Huntland Dr., Ste. 600
Austin, Texas 782752